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Attorneys for Creditor
 Debt Acquisition Company of America V

UNITED STATES BANKRUPTCY COURT

District of Nevada

In re	)	Case No. BK-S-06-10725 LBR
USA COMMERCIAL MORTGAGE COMPANY)	
Debtor.	)	DECLARATION OF JANET SZABO IN
	)	RESPONSE TO OBJECTION TO CLAIM
In re	)	NO. 10725-00781 ASSIGNED TO
USA CAPITAL REALTY ADVISORS, LLC	)	DEBT ACQUISITION COMPANY OF
Debtor.	)	AMERICA
	)	[AFFECTS DEBTOR USA COMMERCIAL
In re	)	MORTGAGE COMPANY]
USA CAPITAL DIVERSIFIED TRUST FUND, LLC	)	DATE: April 26, 2007
Debtor.	)	TIME: 9:30 a.m.
In re)	
USA CAPITAL FIRST TRUST DEED FUND, LLC)	
Debtor.)	
In re)	
USA COMMERCIAL MORTGAGE COMPANY)	
Debtor.)	
Affects:)	
<input type="checkbox"/> All Debtors)	
<input checked="" type="checkbox"/> USA Commercial Mortgage Company)	
<input type="checkbox"/> USA Capital Realty Advisors, LLC)	
<input type="checkbox"/> USA Capital Diversified Trust Fund, LLC)	
<input type="checkbox"/> USA Capital First Trust Deed Fund, LLC)	
<input type="checkbox"/> USA Securities, LLC)	

1 I, Janet Szabo, declare:

2 1. I was formerly employed as a commissioned salesperson by USA Commercial Mortgage
3 Company. I have personal knowledge of the facts stated herein and could and would competently
4 testify thereto if called as a witness.

5 2. I have assigned a claim in the total amount of \$25,107.97 to Debt Acquisition Company
6 of America V, LLC.

7 3. This amount represents wages, salary or commissions, all of which were earned during
8 the 180 days preceding April 13, 2006 (the date of filing of the chapter 11 petition).

9 4. At the time that I performed these services, I had no knowledge that any of these
10 commissions were earned for placing in investors in nonperforming loans, as the Objection alleges.

11 I declare under penalty of perjury under the laws of the United States that the foregoing is true
12 and correct and that this Declaration was executed on April 17, 2007 at San Diego, California.

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15 JANET SZABO
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1 I, Janet Szabo, declare:

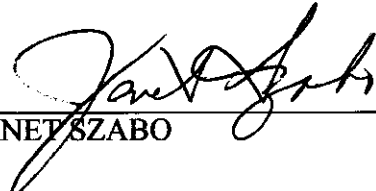
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15 JANET SZABO
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7 mabrams@mabramslaw.com
Attorneys for Debt Acquisition Company of America
8

9 IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA
10

11 In re) Bankruptcy Case No. BK-S- 06-10725-LBR
12)
13 USA COMMERCIAL MORTGAGE)
COMPANY,)
14 *fka* USA Capital) PROOF OF SERVICE
Debtor)
15)
16)

17 I, John Hebert, declare under penalty of perjury that the following facts are true and correct:

18 I am a resident of the State of California and over the age of 18 years and not a party to or
19 interested in the within entitled cause. I am an employee of Kirby & McGuinn, A P.C. . and my
20 business address is 600 B Street., Suite 1950, San Diego, CA 92101. On April 23 , 2007 I served the
21 following document(s):

- 22 - DECLARATION OF JANET SZABO IN RESPONSE TO OBJECTION TO CLAIM
23 NO. 10725-00781 ASSIGNED TO DEBT ACQUISITION COMPANY OF AMERICA
24 V, LLC
25

26 By:

- 27 ■ U.S. MAIL: on April23, 2007, by placing a true copy(ies) thereof in a sealed envelope(s)
28 in the outgoing mail tray located in my office for deposit in the United States mail, with

postage fully prepaid, addressed as per list below. I am readily familiar with the business practice at my place of business for collection and processing of outgoing mail with the U.S. Postal Service that same day in the ordinary course of business.

USA Commercial Mortgage 4484 S. Pecos Road Las Vegas, NV 89121	Lenard Schwartzter, Esq. Schwartzter & McPherson 2850 S. Jones Blvd., #1 Las Vegas, NV 89146
U.S. Trustee 300 Las Vegas Blvd., S., Suite 4300 Las Vegas, NV 89101	Geoffrey L. Berman Matthew Sorenson Development Specialists, Inc. 333 South Grand Avenue, Suite 4070 Los Angeles, CA 90071-1544
Rob Charles, Esq. Susan M. Freeman, Esq. Lewis and Roca LLP 3993 Howard Hughes Parkway., Suite 600 Las Vegas, NV 89169	Alan D. Diamond Diamond McCarthy LLP Two Houston Center 909 Fannin Street, Suite 1500 Houston, TX 77010
Eric D. Madden Diamond McCarthy LLP 1201 Elm Street, Suite 3400 Dallas, TX 75270	Thomas J. Allison Mesirow Financial Interim Management, LLC 321 N. Clark Street, 13 th Fl. Chicago, IL 60610
Susan M. Smith Mesirow Financial Interim Management, LLC One Biscayne Tower 2 South Biscayne Boulevard, Ste., 1800 Miami, FL 33131	Annette W. Jarvis, ESQ. RAY QUINNEY & NEBEKER P.C. 36 South State Street, Ste., 1400 P.O. Box 45385 Salt Lake City, UT 84145-0385
Eve H. Karasik Stutman Treister & Glatt P.C. 1901 Avenue of the Stars, 12 th Floor Los Angeles, CA 90067	Fidelity National Title Group Attn: Lisa Campbell 2390 East Camel Back Road, Suite 260 Phoenix, AZ 85016-1048

☐ ECF Email system as per attached list on _____, 2007

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on April 23, 2007

/s/ John Hebert
John Hebert